

THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No. 25017 OF 2000

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ORDER:

This Writ Petition is filed when the admission of the petitioner to Engineering Course was withheld during the academic year 2000-2001. After completion of 10+2 course, the petitioner had secured admission to engineering course claiming reservation under ST quota. It is stated, he belongs to 'Konda Kammera' community, which was notified as ST and he was issued certificate as such. It is the case of the petitioner, that though he was allotted admission, but, he was not admitted to the course on the ground that there were instructions from the respondents 2 and 3 to keep his admission in abeyance.

At the stage of admission, this Court has granted interim order. It is now stated, that the petitioner had also completed the engineering course.

In the Counter affidavit filed on behalf of the respondents, it is not stated that by following the procedure contemplated under the provisions of the A.P. (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, the caste certificate issued to the petitioner is cancelled. More over, in view of the provisions of the A.P. (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, particularly in view of Section 21, a certificate once issued has to be acted upon till the same is cancelled by the competent authority. Even if there is any suspicion on the caste status of the petitioner, the matter can be referred to the competent authority, i.e. concerned District Collector, as per the provisions of the A.P. (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993. As much as the caste certificate issued to the petitioner is in force, there cannot be any valid reason to give instructions to keep his admission in abeyance. In any event, it is stated that, pursuant to the interim order of this Court, the petitioner had been admitted to the engineering

course in the fourth respondent-College and completed the course. In that view of the matter, I dispose of the Writ Petition, directing the respondent authorities to issue necessary certificates, if not already issued, for the course to which he was admitted during the academic year 2000-2001 and completed the same. If there is any doubt on the caste status of the petitioner, it is open for the respondents to take appropriate steps, to cancel the caste certificate issued to him, by following the procedure contemplated under the provisions of the A.P. (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATED: 30--09-2005.

Msnr